

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VENDESIC, INC.,

Plaintiff,

v.

ORACLE LENS MANUFACTURING, et al.,

Defendants.

CASE NO. C05-0147C

ORDER

This matter comes before the Court on Defendant Sola International, Inc.'s ("Sola") motion for relief from the deadlines to produce Defendants' expert reports and to depose Plaintiff's experts (Dkt. No. 55). Having reviewed the materials submitted by the parties and having determined that oral argument is not necessary, the Court GRANTS Defendant's motion for the reasons set forth below.

The Court has already entered two orders compelling production (Dkt. Nos. 58, 59), but continued discovery disputes have led Sola to seek relief from the current deadline of October 7, 2005 for (1) Defendants' production of Rule 26(a)(2) expert reports, and (2) Defendants' depositions of Plaintiff's expert witnesses. With at least one of the bases for Sola's motion resolved by the Court's September 19, 2005 order compelling production, the parties now agree that a mutual 30-day extension for expert discovery is appropriate. Plaintiff further contends (without agreement from Defendants) that a commensurate extension of the discovery cutoff is appropriate.

1 Given the parties' general agreement that greater time to conduct expert discovery would be
2 useful, the court GRANTS Sola's motion for relief. Additionally, although Plaintiff has not made a
3 convincing showing of need for the overall discovery cut-off to be pushed back a full 30 days, the Court
4 agrees that in light of the expert-discovery extensions a smaller extension for non-expert discovery is
5 warranted. Accordingly, the Court ORDERS that the following deadlines be reset:

- 6 • Defendants' depositions of Plaintiff's expert witnesses: **November 10, 2005.**
- 7 • Defendants' production of Rule 26(a)(2) expert reports: **November 10, 2005.**
- 8 • Plaintiff's depositions of Defendants' expert witnesses: **December 9, 2005.**
- 9 • General discovery cut-off (excepting depositions of Defendants' experts): **November 18, 2005.**

10 Finally, the parties have not revealed whether Plaintiff has already complied with the Court's
11 September 19, 2005 order (Dkt. No. 59). The dates above reflect the Court's firm expectation that
12 Plaintiff will have produced those materials in full by the previous expert-discovery cut-off of October 7,
13 2005, and that the parties will notify the Court promptly if Plaintiff has not done so.

14 SO ORDERED this 6th day of October, 2005.

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17 UNITED STATES DISTRICT JUDGE
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